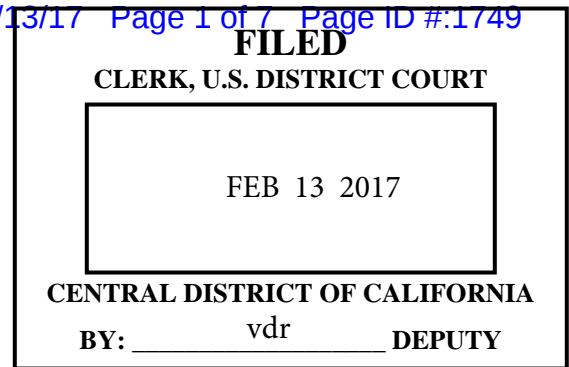


February 8, 2017

Clerk of Court
United States District Court
Central District of California
312 North Spring Street, Room G-8
Los Angeles, CA 90012



Re: Brian Warner et al. v. Toyota Motor Sales, U.S.A., Inc.
Case No. 2:15-cv-02171-FMO-FFM
2007 Toyota Tacoma VIN STEUU42N47Z320650

Dear Clerk of Court:

As the original purchaser and still owner of the vehicle referenced above, I am a Class Member in this case and I believe the Frame Inspection and Replacement Protocol in the proposed settlement of Brian Warner et al. v. Toyota Motor Sales, U.S.A. Inc. is inadequate in the following ways:

1. The protocol states that if "perforation of the frame does not meet or exceed the standard for frame replacement, the vehicle is currently registered in a CRC State, and the vehicle has not previously received Corrosion-Resistant Compounds "(CRC)" or a new frame," then the dealer will apply CRC to the Subject Vehicle's frame. The protocol does not address what is to be done when serious corrosion exists and is continuing on a frame that has previously received CRC. If nothing is done in such a case, the corrosion continues and the vehicle owner is left with a serious liability, which is what the existing protocol seems to indicate will happen. Another application of CRC is not an acceptable solution, since the first one did not address the corrosion problem effectively.
2. The protocol states that if a "perforation" less than 10 mm is found, and if the vehicle has not previously received CRC or a new frame, then CRC will be applied to the frame. Again, the protocol does not address what is to be done when serious corrosion exists and is continuing on a frame that has previously received CRC. For reasons stated in item 1 above, another application of CRC is not an acceptable solution.
3. The protocol addresses a "perforation" and defines an unacceptable perforation as one which is 10 mm or larger. Perforation is defined as "a hole made by boring or piercing; an aperture passing through or into something." A frame commonly has holes in it for a variety of reasons. A hole in the web (vertical) portion of a frame is

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2007 Toyota Tacoma VIN 5TEUU42N47Z320650
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less serious than a hole in the flange (horizontal) portion of the frame, for example. The location where stresses and thus need for strength are greatest is in the flanges of a frame, not in the web of the frame. The protocol does not address a condition in which the edge of a frame flange has corroded away, resulting on some missing frame material, but technically not creating a hole as defined above. In reality, this kind of frame failure can be more serious than a hole elsewhere in the frame. This is a serious problem which must also be addressed.

4. The protocol does not address followup inspection of a frame after a CRC application. Apparently the intent is that if a frame is determined to have passed a visual inspection, then Toyota's only obligation is to provide a CRC application, with no followup inspection of the frame and no further obligation for Toyota to address corrosion conditions on that frame. This is not acceptable. I know from my own experience that a CRC application does not solve the corrosion problem. If a frame is found to not meet or exceed the standard for frame replacement within the specified time frame, even if CRC has been applied, then the frame should be replaced.

I have serious corrosion on the lower frame flanges located between the rear axle assembly and the forward spring mounts, where the springs are attached to the frame. In these areas the frame consists of two pieces of steel fastened (sandwiched) together, to provide additional frame strength. The problem is that the two steel layers started corroding in the area between them where they are touching each other and where there was nothing to protect the steel from corroding. That corrosion has continued to the point that much of the lower frame flanges in these areas consist only of thick layers of rust, leaving little steel to provide the required strength. This condition exists in multiple locations along the lower flange of the frame on both sides. The top layer of steel has corroded through on the right side of the truck. Enclosed are photos of these conditions, with the worst condition being on the passenger side of the vehicle. Proximity of the fuel tank makes photos of the driver side of the frame difficult to take.

This condition has seriously compromised the strength of the frame in critical locations. As I understand the protocol, since there is no hole 10 mm or greater, then the most that would be done is an application of CRC. I wish to note that this frame received a CRC application some time ago. As I read the protocol, nothing will be done to address the problem. This is not acceptable.

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Clearly, the CRC application did not adequately address corrosion of the truck frame, and it is easy to understand why it was a failure. The CRC cannot be applied to the area where the corrosion is originating, between the two layers of steel. The way the frame is constructed, there is no way to stop the corrosion. The corrosion continues and increasingly weakens the frame, increasing liability and decreasing the safety and life expectancy of the truck.

For this kind of problem, I see only one acceptable corrective action. The frame should be replaced.

I do not intend to attend the Fairness Hearing regarding this matter. It is not practical for me to do so.

Sincerely,

Clarence Cox, Jr. 2-8-17

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Mineral Wells, WV 26150
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Cell Phone 304-210-4485

CC:
Mr. Ben Barnow
Barnow and Associates, P.C.
1 North LaSalle Street, Suite 4600
Chicago, IL 60602

MOTORBOAT / VEHICLE / PHYSICALLY DISABLED REGISTRATION
STATE OF
WEST VIRGINIA

| EXPIRATION DATE | | |
|-----------------|-----|------|
| MONTH | DAY | YEAR |
| 05 | 01 | 18 |

| CLASS |
|-------|
| A2 |

87

WOOD

RENEWAL

THE ACCOMPANYING BOAT OR PLATE NUMBER
ASSIGNED TO THE ADDRESSEE IS TO BE USED FOR
THE BOAT / VEHICLE DESCRIBED ON THIS CARD.

5HA995

VEHICLE / BOAT
IDENTIFICATION NUMBER

5TEUU42N47Z320650

MAKE
BODY
TOYT
PC

YEAR
MODEL
2007

LENGTH /
WEIGHT
8000

TITLE NUMBER
BW38989

02/20/07

COX, CLARENCE JR & OR ANNA M
816 WINDSOR DR
MINERAL WELLS WV 26150

SIGN ON THE BACK



Passenger Side Frame
2007 Tacoma VIN: 5TEUU42N47Z320650

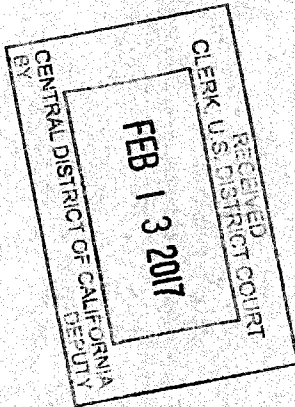


Driver Side Frame
2007 Tacoma VIN: 5TEUU42N47Z320650

Clarence Cox, Jr.
816 Windsor Drive
Mineral Wells, WV 26150



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FMO

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